



# Agenda

Special Meeting of Council  
Tuesday, 19 April 2016

To be held in the  
Council Chambers  
1 Merrijig Drive, Torquay

Commencing at 6.00pm

**Council:**

Cr Rose Hodge (Mayor)  
Cr David Bell  
Cr Libby Coker  
Cr Eve Fisher  
Cr Clive Goldsworthy  
Cr Carol McGregor  
Cr Brian McKiterick  
Cr Margot Smith  
Cr Heather Wellington

---

AGENDA FOR THE SPECIAL COUNCIL MEETING OF SURF COAST SHIRE COUNCIL  
TO BE HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY  
ON TUESDAY 19 APRIL 2016 COMMENCING AT 6.00PM

**PRESENT:**

**OPENING:**

Council acknowledge the traditional owners of the land where we meet today and pay respect to their elders past and present and Council acknowledges the citizens of the Surf Coast Shire.

**PLEDGE:**

As Councillors we carry out our responsibilities with diligence and integrity and make fair decisions of lasting value for the wellbeing of our community and environment.

**APOLOGIES:**

**CONFLICTS OF INTEREST:**

**Note to Councillors and Officers**

***Declaration of Interest***

*Councillors and Officers please note that in accordance with Section 77A of the Local Government Act 1989, there is an obligation to declare a conflict of interest in a matter that could come before Council.*

*A conflict of interest can be a direct or indirect interest in a matter.*

*A person has a direct interest if:*

*There is a reasonable likelihood that the benefits, obligations, opportunities or circumstances of the person would be directly altered if the matter is decided in a particular way.*

*A person has an indirect interest if the person has:*

- 1. A close association whereby a "family member" of the person has a direct or indirect interest or a "relative" or member of a person's household has a direct interest in a matter;*
- 2. An indirect financial interest in the matter;*
- 3. A conflicting duty;*
- 4. Received an "applicable" gift;*
- 5. Become an interested party in the matter by initiating civil proceedings or becoming a party to civil proceedings in relation to the matter; or*
- 6. A residential amenity affect.*

***Disclosure of Interest***

*A Councillor or Officer must make full disclosure of a conflict of interest by advising the class and nature of the interest immediately before the matter is considered at the meeting. While the matter is being considered or any vote taken, the Councillor or Officer with the conflict of interest must leave the room and notify the Chairperson that he or she is doing so.*

**BUSINESS:**

<b>1. OFFICE OF THE CEO.....</b>	<b>4</b>
1.1 <i>Rating Strategy .....</i>	<i>4</i>
1.2 <i>Proposed Budget 2016/17, excluding contributions to the Great Ocean Road Regional Tourism and the Lorne Football Netball Club Electronic Scoreboard Project .....</i>	<i>6</i>
1.3 <i>Proposed Budget 2016-17 Great Ocean Road Regional Tourism and Lorne Football and Netball Club Electronic Scoreboard Contributions .....</i>	<i>10</i>

---

## 1. OFFICE OF THE CEO

### 1.1 Rating Strategy

**Author's Title:** Manager Finance

**CEO:** Keith Baillie

**Department:** Finance

**File No:** F15/911

**Division:** Office of the CEO

**Trim No:** IC16/401

**Appendix:**

1. Surf Coast Shire Council Rating Strategy (D16/9981)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

In accordance with Local Government Act 1989 –  
Section 80C:

Information classified confidential in accordance with  
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

---

### **Purpose**

To adopt the Surf Coast Shire Council Rating Strategy.

### **Summary**

Under Section 3C(f) of the Local Government Act 1989, a primary objective of all Victorian Local Government authorities is to ensure the equitable imposition of rates and charges. The purpose of a rating strategy is therefore to consider what rating options are available to Council under the Local Government Act 1989 and explain how Council chooses to apply these options towards meeting an equitable outcome.

The Surf Coast Shire Council Rating Strategy outlines the rating approach adopted by Council.

### **Recommendation**

That Council adopt the Surf Coast Shire Council Rating Strategy.

## 1.1 Rating Strategy

### Report

#### **Background**

Under Section 3C(f) the Local Government Act 1989, a primary objective of all Victorian Local Government authorities is to ensure the equitable imposition of rates and charges. The purpose of a rating strategy is therefore to consider what rating options are available to Council under the Local Government Act 1989 and how Council's choices in applying these options contribute towards meeting an equitable outcome.

It is important to note that the focus of this strategy is very different to that which is discussed in the Strategic Resource Plan or Annual Budget. In these latter documents the key concern is the quantum of rates required to be raised for Council to deliver the services and capital expenditure required. In rating strategy however, the focus instead is on how this quantum will be equitably distributed amongst Council's ratepayers.

#### **Discussion**

The Local Government Act 1989 provides limited range of rating options to Council under including The Rating Strategy recommends the following:

1. That Council continue to apply the Capital Improved Value (CIV) valuation method to levy rates.
2. That Council continue to utilise differential rating in its rating strategy.
3. That Council use special rates and charges in instances that fit the required criteria.
4. That Council continue to levy the Municipal Charge as part of its rating strategy.
5. That Council continue to apply Waste Service charges as part of its rating strategy based on full cost recovery of the waste function and providing for future landfill rehabilitation.
6. That Council continue to apply the quarterly instalment payment option and continue to offer a monthly or quarterly direct debit option for ratepayers.

#### **Financial Implications**

There are no financial implications of this strategy. The strategy will impact how rates and charges are collected, but not the total revenue collected.

#### **Council Plan**

Theme 2 Governance  
Objective 2.4 Transparency in decision making and access to information  
Strategy 2.4.2 Provide relevant and easy to understand financial information to the community.

#### **Policy/Legal Implications**

Council's Rating Strategy reflects Council's policy on the equitable distribution of rates.

#### **Officer Direct or Indirect Interest**

Not applicable.

#### **Risk Assessment**

Not applicable.

#### **Social Considerations**

The Rating Strategy ensures that the rate burden is equitably distributed amongst the ratepayers.

#### **Community Engagement**

Not applicable.

#### **Environmental Implications**

Not applicable.

#### **Communication**

The Rating Strategy will be published on Council's website.

#### **Conclusion**

The Surf Coast Shire Council Rating Strategy outlines Council's rating approach. It is recommended that the rating strategy be adopted by Council.



## 1.2 Proposed Budget 2016/17, excluding contributions to the Great Ocean Road Regional Tourism and the Lorne Football Netball Club Electronic Scoreboard Project

### Report

#### **Background**

Section 127 of the Local Government Act 1989 requires that:

- “(1) A Council must prepare a budget for each financial year.
- (2) The Council must ensure that the budget contains—
- (a) the standard statements in the form and containing the matters required by the regulations;
  - (b) a description of the activities and initiatives to be funded in the budget;
  - (c) a statement as to how the activities and initiatives described under paragraph (b) will contribute to achieving the strategic objectives specified in the Council Plan;
  - (d) separately identified Key Strategic Activities to be undertaken during the financial year and performance targets and measures in relation to each Key Strategic Activity;
  - (e) any other details required by the regulations.”

Section 127 (3) further outlines the requirements for disclosure of proposed rates and charges in the budget:

- “(3) The Council must ensure that the budget also contains—
- (a) the information the Council is required to declare under section 158(1);
  - (b) if the Council intends to declare a differential rate under section 161, the details listed in section 161(2);
  - (c) if the Council intends to declare a differential rate under section 161A, the details listed in section 161(2).”

Section 129 outlines the requirements for the Public Notice.

- “(1) As soon as practicable after a Council has prepared a proposed budget or revised budget, the Council must give public notice.
- (2) A person has a right to make a submission under section 223 on any proposal contained in the proposed budget or revised budget.
- (3) In addition to any other requirements specified by this Act, the notice referred to in subsection (1) must—
- (a) contain any information required by the regulations; and
  - (b) advise that copies of the proposed budget or revised budget are available for inspection for at least 28 days after the publication of the notice at—
    - (i) the Council office and any district offices; and
    - (ii) any other place required by the regulations; and
  - (c) advise that the proposed budget or revised budget is published on the Council's Internet website for at least 28 days after the publication of the notice.
- (4) A copy of the proposed budget or revised budget must be available and published as set out in subsection (3)(b) and (c).”

#### **Discussion**

##### **Budget Process**

1. Officers update Council's long term financial projections
2. Officers prepare operating and capital budgets
3. Councillors consider draft budgets at informal briefings
4. Proposed budget submitted to Council for approval
5. Public notice advising intention to adopt budget
6. Budget available for public inspection and comment
7. Public submission process undertaken
8. Submissions period closes
9. Submissions considered by Council/Committee
10. Budget and submissions presented to Council for adoption
11. Copy of adopted budget submitted to the Minister

##### **Timing**

- Dec-Mar
- Jan-Feb
- Jan-Mar
- 19 April
- 21 April
- 21 April
- Apr/May
- 20 May
- 31 May
- 14 Jun
- Jun

## **1.2 Proposed Budget 2016/17, excluding contributions to the Great Ocean Road Regional Tourism and the Lorne Football Netball Club Electronic Scoreboard Project**

Prior to Council adopting its draft budget, it is required to publicly exhibit the draft document, and to receive and consider related public submissions. Section 223 of the Local Government Act 1989, requires this public exhibition process to continue for a period of not less than 28 days after the date on which a public notice is published.

This report is provided to Council to authorise the commencement of the public exhibition process.

### ***Financial Implications***

The implications of the draft budget are set out in the attached appendix Surf Coast Shire Council Budget Draft 2016-2017.

### ***Council Plan***

Theme 2 Governance  
Objective 2.4 Transparency in decision making and access to information  
Strategy 2.4.2 Provide relevant and easy to understand financial information to the community.

Theme 2 Governance  
Objective 2.4 Transparency in decision making and access to information  
Strategy 2.4.3 Ensure decision-making is as transparent as possible.

### ***Policy/Legal Implications***

The Budget is required to be prepared pursuant to Section 127 of the Local Government Act 1989, and must include:

1. The standard statements in the form and containing the matters required by the regulations;
2. A description of the activities and initiatives to be funded in the budget;
3. A statement as to how the activities and initiatives described above (part 2) will contribute to achieving the strategic objectives specified in the Council Plan;
4. Separately identified Key Strategic Activities to be undertaken during the financial year and performance targets and measures in relation to each Key Strategic Activity;
5. Any other details required by the regulations.

The budget must also include details of the rates and charges which Council intends to levy.

The Draft 2016-2017 Budget complies with Section 127 of the Act.

Section 129 of the Act requires Council to publicly exhibit the draft Budget, giving the public the right to make a submission pursuant to Section 223 of the Act.

### ***Officer Direct or Indirect Interest***

No officer involved in the preparation of this report has any conflicts of interest.

### ***Risk Assessment***

This report is provided to Council to ensure that it complies with the relevant legislation in regard to the preparation and adoption of the Budget.

### ***Social Considerations***

Council has remained considerate of social matters that impact on the operations of Council when formulating the proposed Budget.

### ***Community Engagement***

Following Council decision to place the draft budget on public exhibition, a Public Notice will be issued and written submissions invited from the community over a period of 28 days.

The public exhibition period for the proposed budget will be advertised in local media, and on Council's web site. Copies of the document will be made available at various locations across the shire, including visitor centres, community houses, and Council offices.

In addition, information sessions will be held across the four wards to obtain feedback from the community.



## **1.2 Proposed Budget 2016/17, excluding contributions to the Great Ocean Road Regional Tourism and the Lorne Football Netball Club Electronic Scoreboard Project**

Submitters wishing to address Council in regards to their submission will be provided with an opportunity to do so prior to Council considering adoption of the final proposed budget.

### ***Environmental Implications***

The "Environment" is one of five key themes included in the draft Council Plan 2013 – 2017. The draft budget includes performance measures for the following strategic objectives in the 2016 – 2017 year:

- Preserve and enhance the natural environment
- Promote good carbon practice
- Pursue alternative energies
- Leadership in innovative environmental practice
- Protect public open space and green belts

### ***Communication***

As included under the heading – Community Engagement.

### ***Conclusion***

The Draft Surf Coast Shire Council Budget 2016-17 has been prepared in accordance with Section 127 of the Local Government Act 1989. It is recommended that the draft budget be now placed on public exhibition for a period of 28 days.

### 1.3 Proposed Budget 2016-17 Great Ocean Road Regional Tourism and Lorne Football and Netball Club Electronic Scoreboard Contributions

**Author's Title:** Acting Finance Manager

**CEO:** Keith Baillie

**Department:** Finance

**File No:** F15/911

**Division:** Office of the CEO

**Trim No:** IC16/405

**Appendix:**

Nil

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

In accordance with Local Government Act 1989 –  
Section 80C:

Information classified confidential in accordance with  
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

#### Purpose

To include in the proposed Surf Coast Shire Council 2016-17 Budget contributions to the Great Ocean Road Regional Tourism and the Lorne Football Netball Club Electronic Scoreboard project and as such to be placed on public exhibition.

#### Summary

Section 127 of the Local Government Act 1989 requires Council to prepare a budget for each financial year. Section 129 of the Act requires Council to issue a Public Notice in relation to the proposed budget and invite submissions in accordance with Section 223 of the Act.

#### Recommendation

That:

1. The Proposed Budget items of the Great Ocean Road Regional Tourism \$151,870 and the Lorne Football Netball Club Electronic Scoreboard \$20,000 contributions, form part of the budget prepared by Council for the purposes of section 127 of the Local Government Act 1989;
2. The Chief Executive Officer be authorised to give public notice of the preparation of such budget in accordance with section 129 of the Local Government Act 1989;
3. Council hear any submissions and where requested, allow submitters to be heard by Council in support of those submissions, pursuant to Sections 129 and 223 of the Local Government Act 1989, on any proposal contained in the Budget at a Hearing of Submissions Committee Meeting, scheduled to be held on Tuesday 31 May 2016 commencing at 5.00 pm in the Council Chambers, 1 Merrijig Drive, Torquay;
4. Council consider the adoption of the budget and the declaration and levy of rates and charges for the 2016-17 financial year at a Special Council Meeting to be held on Tuesday 14 June 2016, commencing at 6.00pm, in the Council Chambers, 1 Merrijig Drive, Torquay; and
5. Pursuant to section 129(4) of the Local Government Act 1989 specify the following places for the display of prescribed information required under Regulation 8, Local Government (Finance and Reporting) Regulations 2004:
  - Council Offices, 1 Merrijig Drive, Torquay
  - Aireys Inlet, Anglesea, Lorne and Winchelsea Post Offices
  - Lorne Visitor Information Centre
  - Deans Marsh and Moriac General Stores
  - Torquay and mobile libraries servicing the Surf Coast Shire
  - Community houses at Anglesea, Deans Marsh, Lorne and Winchelsea
  - On the Council internet website: [www.surfcoast.vic.gov.au](http://www.surfcoast.vic.gov.au)

### 1.3 Proposed Budget 2016-17 Great Ocean Road Regional Tourism and Lorne Football and Netball Club Electronic Scoreboard Contributions

#### Report

#### **Background**

Section 127 of the Local Government Act 1989 requires that:

- “(1) A Council must prepare a budget for each financial year.
- (2) The Council must ensure that the budget contains—
- (a) the standard statements in the form and containing the matters required by the regulations;
  - (b) a description of the activities and initiatives to be funded in the budget;
  - (c) a statement as to how the activities and initiatives described under paragraph (b) will contribute to achieving the strategic objectives specified in the Council Plan;
  - (d) separately identified Key Strategic Activities to be undertaken during the financial year and performance targets and measures in relation to each Key Strategic Activity;
  - (e) any other details required by the regulations.”

Section 127 (3) further outlines the requirements for disclosure of proposed rates and charges in the budget:

- “(3) The Council must ensure that the budget also contains—
- (a) the information the Council is required to declare under section 158(1);
  - (b) if the Council intends to declare a differential rate under section 161, the details listed in section 161(2);
  - (c) if the Council intends to declare a differential rate under section 161A, the details listed in section 161(2).”

Section 129 outlines the requirements for the Public Notice.

- “(1) As soon as practicable after a Council has prepared a proposed budget or revised budget, the Council must give public notice.
- (2) A person has a right to make a submission under section 223 on any proposal contained in the proposed budget or revised budget.
- (3) In addition to any other requirements specified by this Act, the notice referred to in subsection (1) must—
- (a) contain any information required by the regulations; and
  - (b) advise that copies of the proposed budget or revised budget are available for inspection for at least 28 days after the publication of the notice at—
    - (i) the Council office and any district offices; and
    - (ii) any other place required by the regulations; and
  - (c) advise that the proposed budget or revised budget is published on the Council's Internet website for at least 28 days after the publication of the notice.
- (4) A copy of the proposed budget or revised budget must be available and published as set out in subsection (3)(b) and (c).”

#### **Discussion**

#### **Budget Process**

1. Officers update Council's long term financial projections
2. Officers prepare operating and capital budgets
3. Councillors consider draft budgets at informal briefings
4. Proposed budget submitted to Council for approval
5. Public notice advising intention to adopt budget
6. Budget available for public inspection and comment
7. Public submission process undertaken
8. Submissions period closes
9. Submissions considered by Council/Committee
10. Budget and submissions presented to Council for adoption
11. Copy of adopted budget submitted to the Minister

#### **Timing**

- Dec-Mar
- Jan-Feb
- Jan-Mar
- 19 April
- 21 April
- 21 April
- Apr/May
- 20 May
- 31 May
- 14 Jun
- Jun

### **1.3 Proposed Budget 2016-17 Great Ocean Road Regional Tourism and Lorne Football and Netball Club Electronic Scoreboard Contributions**

Prior to Council adopting its draft budget, it is required to publicly exhibit the draft document, and to receive and consider related public submissions. Section 223 of the Local Government Act 1989, requires this public exhibition process to continue for a period of not less than 28 days after the date on which a public notice is published.

This report is provided to Council to authorise the commencement of the public exhibition process.

#### ***Financial Implications***

The implications of the draft budget are set out in the attached appendix Draft Surf Coast Shire Council Budget 2016-2017.

#### ***Council Plan***

Theme 2 Governance  
Objective 2.4 Transparency in decision making and access to information  
Strategy 2.4.2 Provide relevant and easy to understand financial information to the community.

Theme 2 Governance  
Objective 2.4 Transparency in decision making and access to information  
Strategy 2.4.3 Ensure decision-making is as transparent as possible.

#### ***Policy/Legal Implications***

The Budget is required to be prepared pursuant to Section 127 of the Local Government Act 1989, and must include:

1. The standard statements in the form and containing the matters required by the regulations;
2. A description of the activities and initiatives to be funded in the budget;
3. A statement as to how the activities and initiatives described above (part 2) will contribute to achieving the strategic objectives specified in the Council Plan;
4. Separately identified Key Strategic Activities to be undertaken during the financial year and performance targets and measures in relation to each Key Strategic Activity;
5. Any other details required by the regulations.

The budget must also include details of the rates and charges which Council intends to levy.

The Draft 2016-2017 Budget complies with Section 127 of the Act.

Section 129 of the Act requires Council to publicly exhibit the draft Budget, giving the public the right to make a submission pursuant to Section 223 of the Act.

#### ***Officer Direct or Indirect Interest***

No officer involved in the preparation of this report has any conflicts of interest.

#### ***Risk Assessment***

This report is provided to Council to ensure that it complies with the relevant legislation in regard to the preparation and adoption of the Budget.

#### ***Social Considerations***

Council has remained considerate of social matters that impact on the operations of Council when formulating the proposed Budget.

#### ***Community Engagement***

Following Council decision to place the draft budget on public exhibition, a Public Notice will be issued and written submissions invited from the community over a period of 28 days.

The public exhibition period for the proposed budget will be advertised in local media, and on Council's web site. Copies of the document will be made available at various locations across the shire, including visitor centres, community houses, and Council offices.

In addition, information sessions will be held across the four wards to obtain feedback from the community.

### **1.3 Proposed Budget 2016-17 Great Ocean Road Regional Tourism and Lorne Football and Netball Club Electronic Scoreboard Contributions**

Submitters wishing to address Council in regards to their submission will be provided with an opportunity to do so prior to Council considering adoption of the final proposed budget.

#### ***Environmental Implications***

The "Environment" is one of five key themes included in the draft Council Plan 2013 – 2017. The draft budget includes performance measures for the following strategic objectives in the 2016 – 2017 year:

- Preserve and enhance the natural environment
- Promote good carbon practice
- Pursue alternative energies
- Leadership in innovative environmental practice
- Protect public open space and green belts

#### ***Communication***

As included under the heading – Community Engagement.

#### ***Conclusion***

The Draft Surf Coast Shire Council Budget 2016-17 has been prepared in accordance with Section 127 of the Local Government Act 1989. It is recommended that the draft budget be now placed on public exhibition for a period of 28 days.

**Close:** There being no further items of business the meeting closed at   pm.